

EXHIBIT 2

4. Plaintiff's claims are barred, in whole or in part, by the parol evidence rule and statute of frauds

5. Plaintiff's claims are barred, in whole or in part, by the failure to pay or tender payment of the amounts due.

6. To the extent plaintiff is entitled to recover any damages, they are barred because she failed to mitigate them.

7. Plaintiff's claims are barred, in whole or in part, by waiver and estoppel.

8. Plaintiff's claims are barred by the doctrine of election of remedies.

9. Plaintiff's claims are barred by the doctrine of unclean hands.

10. To the extent plaintiff is entitled to recover any damages, BoNY is entitled to an offset against any benefits realized by plaintiff as a result of her failure to comply with the terms of the loan and/or attorneys' fees incurred.

III. PRAYER

WHEREFORE, premises considered, BoNY prays plaintiff take nothing by this suit and BoNY be awarded all relief, at law or in equity, to which it may be entitled.

Date: May 12, 2017

Respectfully submitted,

/s/ C. Charles Townsend
C. Charles Townsend; SBN: 24028053
Alysia N. Carlson; SBN: 24082977
AKERMAN LLP
2001 Ross Avenue, Suite 3600
Dallas, Texas 75201
Telephone: 214.720.4300
Facsimile: 214.981.9339
charles.townsend@akerman.com
alysia.carlson@akerman.com

ATTORNEYS FOR BoNY, as Trustee

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2017, a true and correct copy of the foregoing instrument was sent via certified mail, return receipt requested, and the court's electronic filing system as follows:

VIA ECF & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NO. 9414 7266 9904 2092 0123 93

James Minerve
115 Saddle Blanket Trail
Buda, Texas 78610
Tel.: 888.819.1440
Fax: 888.230-6397
jgminerve@aol.com
Plaintiff's attorney

/s/ Alysia N. Carlson
Alysia N. Carlson

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**Case # 423-4966 - In RE: Order for Foreclosure
Concerning THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFI
(Duggan, Christopher D.)**

Case Information

Location	Bastrop County 423rd District Court
Date Filed	05/12/2017 05:06:32 PM
Case Number	423-4966
Case Description	In RE: Order for Foreclosure Concerning THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFI
Assigned to Judge	Duggan, Christopher D.
Attorney	C. Townsend
Firm Name	Akerman LLP
Filed By	C. Townsend
Filer Type	Not Applicable

Fees

Convenience Fee	\$0.00
Total Court Case Fees	\$0.00
Total Court Party Fees	\$0.00
Total Court Filing Fees	\$0.00
Total Court Service Fees	\$0.00
Total Filing & Service Fees	\$0.00
Total Service Tax Fees	\$0.00
Total Provider Service Fees	\$0.00
Total Provider Tax Fees	\$0.00
Grand Total	\$0.00

Payment

Account Name	Dallas Office
Transaction Amount	\$0.00
Transaction Response	
Transaction ID	26756344
Order #	

Answer/Response

Filing Type	EFileAndServe
Filing Code	Answer/Response

5/12/2017

Filing Description	BoNY's Original Answer
Reference Number	Sissom/ Pending
Comments	Thank you
Courtesy Copies	james.harvey@akerman.com
Status	Submitting

Fees

Court Fee	\$0.00
Service Fee	\$0.00

Documents

<i>Lead Document</i>	Sissom, Original Answer.pdf	<u>[Original]</u>
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eService Details

Name/Email	Firm	Service Type	Status	Served	Date/Time Opened
Alysia Carlson alysia.carlson@akerman.com	Akerman LLP	EServe	Not Sent	No	Not Opened
C. Charles Townsend charles.townsend@akerman.com	Akerman LLP	EServe	Not Sent	No	Not Opened
Jennifer Richardson jennifer.richardson@akerman.com	Akerman LLP	EServe	Not Sent	No	Not Opened
James Minerve jgminerve@aol.com		EServe	Not Sent	No	Not Opened